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 MEMC ELECTRONIC MATERIALS, INC.

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

SUMITOMO MITSUBISHI SILICON
 CORPORATION, aka SUMCO and SUMCO
 USA CORPORATION,

Plaintiffs and counter-defendants,

v.

MEMC ELECTRONIC MATERIALS, INC.,

Defendant and counter-claimant.

AND RELATED COUNTERCLAIMS.

Case No. CV 05-02133 SBA (JCS)
 Related to Case No. C 01-04925 SBA (JCS)

**ORDER GRANTING MOTION TO
 REMOVE INCORRECTLY FILED
 DOCUMENTS**

Honorable Sandra B. Armstrong


1 Having considered Defendant MEMC Electronic Materials, Inc.'s Motion to Remove Incorrectly
2 Filed Documents,

3 IT IS HEREBY ORDERED AS FOLLOWS:

4 1. Defendant's Notice of Motion and Motion for Summary Judgment on Count I (Docket
5 Item No. 266), shall be permanently removed from the Court Docket; and

6 2. Defendant's Notice of Motion and Motion to Exclude the Testimony of Carl G. Degen
7 Under Fed. R. Evid. 702 (Docket Item No. 268), shall be permanently removed from the Court Docket.

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10 DATED: 6/7/07

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13 Honorable Sandra B. Armstrong
14 Judge of the United States District Court

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